



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
ANNA COOK, RN	:	
License # 26NO08556500	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Anna Cook ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about March 29, 2013, Respondent completed and submitted an online biennial renewal application which asked

whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on January 2, 2015 by the Holmdel Police Department for violation of N.J.S.A. 2C:36-2 (Possession of Drug Paraphernalia), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Lincroft, New Jersey, via regular and certified mail on or about January 23, 2015. The regular mailing was not returned and the certified mailing was returned "Unclaimed" on February 22, 2015.

4. On February 5, 2015, Respondent's attorney advised the Board that he would provide them with documentation in response to the Board's letter of inquiry as soon as he received same. On March 13, 2015, Respondent's attorney sent to the Board a copy of the disposition indicating that all criminal charges were dismissed. Respondent has not provided any of the other information requested by the Board such as police report, municipal court complaint, indictment, accusation, plea

agreement, name and address of current nursing employers, job title, dates of employment, shift, type of unit worked, performance evaluation, narrative statement of the conduct which led to Respondent's arrest, nor any documentation of continuing education completed from 2011 to the present.

5. On or about May 9, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 to May 31, 2015. Respondent was also asked whether she completed the required one hour course on Organ and Tissue Donation. Respondent answered "Yes" to both questions and certified the answers by submitting the online application.

#### CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education

during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to fully respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to present. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 16, 2015, provisionally suspending respondent's nursing license and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon respondent by certified and regular mail at her address of record, and also served upon her

attorney.

The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, furnishing additional information and documentation, and at this juncture she has complied in full with the Board's initial request for information. Ms. Cook has also provided documentation of completion of 30 contact hours of nursing continuing education completed during the 2013-2015 licensing cycle, and 31 hours of continuing education completed on August 4, 2015. Ms. Cook maintains that she is unable to locate documentation timely completed continuing education for the 2011-2013 licensing cycle. The Board notes that continuing education providers generally furnish duplicate certificates of completion to nurses who have lost the original certificates. The Board further notes that respondent's failure to fully respond to the Board's

initial inquiry necessitated the filing of a Board order so as to obtain requested information, causing a needless expenditure of time, effort and resources. The Board therefore determined that the Provisional Order should be finalized, without suspension, but with the imposition of a reprimand for misrepresentation on respondent's 2013 renewal application, and total monetary penalties of \$750, including a \$500 penalty for failure to cooperate, and a \$250 civil penalty for failure to complete required continuing education in a timely manner, in violation of N.J.A.C. 13:37-5.3.

ACCORDINGLY, IT IS on this 23<sup>rd</sup> day of November, 2015,

ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New

Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Leslie Burgos, Board Staff, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment shall be rejected and shall be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to initiate further action based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN  
Patricia Murphy, PhD, APN  
President